

EXHIBIT #3

Austin Police Case Number 2015-3101943

THE STATE OF TEXAS

§

§

SEARCH WARRANT

COUNTY OF HARRIS

§

SEARCH WARRANT

To the Sheriff or any Peace Officer of Harris County, Texas, or any Peace Officer of the State of Texas, or Special Investigator under the laws of Texas:

Whereas, the Affiant, Detective Anthony Nelson, whose name appears on the affidavit attached hereto, is a peace officer under the laws of Texas employed by the Austin Police Department, and who is currently assigned to the Homicide Division, with an address of 715 E. 8th Street (2nd) Floor, Austin, Travis County, Texas, did heretofore this day subscribe and swear to said affidavit before me (which said affidavit is here now made a part hereof for all purposes and incorporated herein as if written verbatim within the confines of this Warrant), and whereas I find that the verified facts stated by Affiant in said affidavit show that Affiant has probable cause for the belief he expresses herein and establishes the existence of proper grounds for issuance of this Warrant;

NOW, THEREFORE, YOU ARE COMMANDED to enter the suspected vehicle, including all closed containers, and safes, described in said affidavit, to-wit:

A silver 2012 Dodge Charger with Texas License Plate number [REDACTED] and a Vehicle Identification Number of [REDACTED] currently being stored at the Houston Police Department's secure parking lot located at 1300 Dart Street in Houston, Harris County, Texas.

With the authority to search for and to seize any and all items that may be found there in constitution evidence of the offense of Attempted Capital Murder, evidence tending to show that a particular person committed an offense of Attempted Capital Murder, and/or properties or items that were used as instruments and implements to the offense of, Attempted Capital Murder including but not limited to:

- 1) To take evidentiary photographs of the interior and exterior of the location described herein above;
- 2) Firearms, firearm ammunition, firearm accessories, and firearm related residue, including but not limited to: ammunition, containers used to store ammunition, shell casings, cartridge, bullet, projectile, projectile fragment, gunpowder, shotgun shells, shot wadding, fired cartridge case, slug, and holsters;
- 3) Dark clothing and light shoes;
- 4) Any and all information whether stored electronically as computer data or on paper and all data including text discussing, planning, referring to, or otherwise regarding the location of the residence of Travis

Austin Police Case Number 2015-3101943

County District Judge Julie Kocurek, which is currently located at [REDACTED] Wellington Park, Houston, Harris County, Texas and is owned by or was found in the possession of Chimene Onyeri;

5) Computers and any computer programs, software and equipment, including but not limited to storage devices such as diskettes, compact discs and digital video discs, hard drives and thumb drives, flash drives, memory sticks, Ipad's, MP3 players, Video IPads and any other devices that can be used to store or transport any type of computer media, and any means in which to power up, access, view or otherwise make use of those forms of electronic media which was owned by the complainant prior to the incident, which is currently located at [REDACTED] Wellington Park, Houston, Harris County, Texas and is owned by or was found in the possession of Chimene Onyeri;

6) Any cellular telephones and other devices that can be used to communicate telephone to telephone or telephone to computer and all peripheral equipment associated with such cellular telephones, which is currently located at [REDACTED] Wellington Park, Houston, Harris County, Texas and is owned by or was found in the possession of Chimene Onyeri;

7) Documents showing dominion and control over the residence such as letters, utility bills, telephone bills, miscellaneous bills, pager bills and receipts for occupants, articles of personal property tending to establish the identity of the persons in control of the premises, vehicles, storage areas, safes, out buildings and containers being searched including utility company receipts, rent receipts, addressed envelopes, and keys and photographs of the defendant and his associates, which is currently located at [REDACTED] Wellington Park, Houston, Harris County, Texas and is owned by or was found in the possession of Chimene Onyeri.

YOU ARE FURTHER ORDERED, pursuant the provisions of Article 18.10, Texas code of Criminal Procedures, to retain custody of any property seized pursuant to the Warrant, until further order of the Court or any other court of appropriate jurisdiction shall otherwise direct the manner of safekeeping of said property. The Court grants you leave and authority to remove such seized property from the county, if and only if such removal is necessary for the safekeeping of such seized property by you, or if the provisions of Article 18.10, T.C.C.P. otherwise authorize such removal.

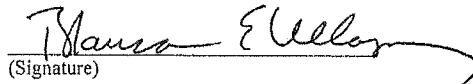
YOU ARE FURTHER ORDERED to give notice to the Court, as part of the inventory to be filed subsequent to the execution of the Warrant, and as required by Article 18.10, T.C.C.P., of the place where the property seized hereunder is kept, stored, and held.

YOU ARE FURTHER ORDERED to have a forensic examination conducted of any devices seized pursuant to this Warrant to search for the items previously listed.

Austin Police Case Number 2015-3101943

WHEREIN FAIL NOT, but have you then and there the WARRANT within three days, exclusive of the day of its execution, with your return thereon, showing how you executed the same.

WITNESS MY SIGNATURE on this the 10th day of November
A.D. 2015 at 9:25 O'clock, A.M.


(Signature)

(Printed name)
MAGISTRATE/ DISTRICT JUDGE
Harris County, Texas

BLANCA VILLAGOMEZ
Harris County Criminal Law
Hearing Officer
Harris County, Texas

FILED
Chris Daniel
District Clerk
NOV 17 2015
Time: _____ Harris County, Texas
By: _____ Deputy

Austin Police Case Number 2015-3101943

THE STATE OF TEXAS

§

AFFIDAVIT FOR

§

COUNTY OF HARRIS

§

SEARCH WARRANT

AFFIDAVIT FOR SEARCH WARRANT

BEFORE ME, THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED THE AFFIANT HEREIN, A PEACE OFFICER UNDER THE LAWS OF TEXAS, WHO, BEING DULY SWORN, ON OTHAT MADE THE FOLLOWING STATEMENTS:

My name is Detective Anthony Nelson, and I am commissioned as a peace officer of the State of Texas by the Austin Police Department, and who is currently assigned to the Homicide Unit, with an address of 715 E. 8th Street (2nd) Floor, Austin, Travis County, Texas. There is, in Harris County, a suspected place located as follows:

A silver 2012 Dodge Charger with Texas License Plate number [REDACTED] and a Vehicle Identification Number of [REDACTED] currently being stored at the Houston Police Department's secure parking lot located at 1300 Dart Street in Houston, Harris County, Texas.

It is the belief of the Affiant that said suspected party has possession of and is concealing at said suspected place the following property to be searched for any and all items that may be found there in constitution evidence of the offense of Attempted Capital Murder; evidence tending to show that a particular person committed an offense of Attempted Capital Murder; and/or properties or items that were used as instruments and implements to the offense of robbery; including but not limited to the following:

- 1) To take evidentiary photographs of the interior and exterior of the location described herein above;
- 2) Firearms, firearm ammunition, firearm accessories, and firearm related residue, including but not limited to: ammunition, containers used to store ammunition, shell casings, cartridge, bullet, projectile, projectile fragment, gunpowder, shotgun shells, shot wadding, fired cartridge case, slug, and holsters;
- 3) Dark clothing and light shoes;
- 4) Any and all information whether stored electronically as computer data or on paper and all data including text discussing, planning, referring to, or otherwise regarding the location of the residence of Travis County District Judge Julie Kocurek, which is currently located at [REDACTED] Wellington Park, Houston, Harris County, Texas and is owned by or was found in the possession of Chimene Onyeri;

Austin Police Case Number 2015-3101943

5) Computers and any computer programs, software and equipment, including but not limited to storage devices such as diskettes, compact discs and digital video discs, hard drives and thumb drives, flash drives, memory sticks, Ipad's, MP3 players, Video IPads and any other devices that can be used to store or transport any type of computer media, and any means in which to power up, access, view or otherwise make use of those forms of electronic media which was owned by the complainant prior to the incident, which is currently located at [REDACTED] Wellington Park, Houston, Harris County, Texas and is owned by or was found in the possession of Chimene Onyeri;

6) Any cellular telephones and other devices that can be used to communicate telephone to telephone or telephone to computer and all peripheral equipment associated with such cellular telephones, which is currently located at [REDACTED] Wellington Park, Houston, Harris County, Texas and is owned by or was found in the possession of Chimene Onyeri;

7) Documents showing dominion and control over the residence such as letters, utility bills, telephone bills, miscellaneous bills, pager bills and receipts for occupants, articles of personal property tending to establish the identity of the persons in control of the premises, vehicles, storage areas, safes, out buildings and containers being searched including utility company receipts, rent receipts, addressed envelopes, and keys and photographs of the defendant and his associates, which is currently located at [REDACTED] Wellington Park, Houston, Harris County, Texas and is owned by or was found in the possession of Chimene Onyeri.

AFFIANT HAS PROBABLE CAUSE FOR THE SAID BELIEF BY REASON OF THE FOLLOWING FACTS, TO WIT:

Your Affiant is currently employed as a Detective with the Austin Police Department (APD) Homicide Unit. Affiant has been a licensed Texas peace officer since 1998 and assigned to the APD Homicide Unit since 2010. During this time your affiant has investigated numerous murder cases.

Affiant has spoken to Lead Homicide Detective Derek Israel, and responding Patrol Officers, all peace officers who are credible persons employed by APD. Affiant has also reviewed APD Incident Report Number 2015-3101943, which was written by other peace officers with APD, and learned that Officer Zhawn Dodson was one of the Patrol Officers who responded to the scene. Affiant observed that Officer Dodson documented in his report that on 11/06/15 at approximately 1:15pm, he along with other APD Officers responded to [REDACTED] Scenic Drive, Austin, Travis County, Texas to a call of gun shots being fired. Officer Dodson documented in his report that upon arrival, he found a female victim inside of her vehicle in front of this location. Officer Dodson further documented that the victim, who was identified as Travis County District Judge Julie Kocurek, was seriously injured and had to be transported to a local hospital for treatment.

Affiant spoke to Detective Michael Crumrine, a peace officer with APD. Detective Crumrine told Affiant that he interviewed an independent witness, who was identified as [REDACTED], a person Detective Crumrine told Affiant he believes to be credible and reliable. Detective Crumrine told Affiant that [REDACTED] told him that around the

Austin Police Case Number 2015-3101943

time of the shooting, [REDACTED] had seen a gray colored sedan run a stop sign and come to a stop on Scenic Drive. Detective Crumrine told Affiant that [REDACTED] told him that [REDACTED] had reported this to law enforcement and further said that [REDACTED] had seen at least three black males inside the car. Detective Crumrine told Affiant that [REDACTED] told him that the three black males drove away from the area.

Affiant also spoke to Detective Jesse Sanchez, a peace officer with APD. Detective Sanchez told Affiant that he had spoken with [REDACTED], a person who Detective Sanchez told Affiant he believes is credible and reliable. Detective Sanchez told Affiant that [REDACTED] told him that on Thursday, 11/05/15, at approximately 4pm, [REDACTED] saw an unknown black male standing outside a residence near the victim's home. Detective Sanchez told Affiant that [REDACTED] told him that [REDACTED] made eye contact with this unknown black male who then turned and began to jog away. Detective Sanchez told Affiant that [REDACTED] told him that [REDACTED] did not recognize this black male as someone that lived in this neighborhood. Detective Sanchez told Affiant that [REDACTED] told him that later that same evening, at approximately 7:30pm, [REDACTED] saw a gray colored sedan parked in the victim's neighborhood. Detective Sanchez told Affiant that [REDACTED] told him that [REDACTED] saw an unknown black male sitting in the driver seat of the car and another black male standing outside of the vehicle that appeared to be digging through the bushes for something. Detective Sanchez told Affiant that [REDACTED] told him that [REDACTED] also reported the vehicle had its headlights turned off and that the vehicle and the two men were gone within 10-15 minutes of being seen.

Affiant then spoke to Detective Dave Fugitt, a peace officer with APD. Detective Fugitt told Affiant that On 11/09/15, he spoke to Manuel Fuentes, an investigator with the Travis County District Attorney's Office. Detective Fugitt told Affiant that Manuel Fuentes told him that a [REDACTED] who identified [REDACTED] as [REDACTED] had called approximately two weeks prior. Detective Fugitt told Affiant that Manuel Fuentes told him that [REDACTED] had reported that a male named Chimene Onyeri, hereafter referred to as the Defendant, had been talking to [REDACTED] about his plans of killing a Travis County District Judge. Detective Fugitt told Affiant that Manuel Fuentes told him that [REDACTED] had identified the [REDACTED] the Defendant had been talking to was known to [REDACTED] as [REDACTED]. Detective Fugitt told Affiant that Manuel Fuentes told him that the Travis County DA Investigators were unable to show the veracity of this information because the name of the threatened District Judge was not given and Investigators were unable to find a current case within the Travis County system involving the Defendant. Detective Fugitt told Affiant that Manuel Fuentes told him that when he arrived to work on Monday (11/09/15), he heard several voicemail messages from a [REDACTED] who identified [REDACTED] as [REDACTED]. Detective Fugitt told Affiant that Manuel Fuentes told him that in these messages [REDACTED] reported that the Defendant was now telling [REDACTED] that he had killed the Travis County District Judge. Detective Fugitt told Affiant that Manuel Fuentes told him that he called [REDACTED] who told him that the Defendant had been talking to [REDACTED] and had given [REDACTED] detailed information about the shooting and disposal of evidence. Detective Fugitt told Affiant that Manuel Fuentes told him that [REDACTED] advised that the Defendant lived in Houston, Texas and had been on placed on probation by Judge Kocurek for forgery. Detective Fugitt told Affiant that Manuel Fuentes also told him that [REDACTED] also told him that [REDACTED] had personally overheard the Defendant talk about committing a murder in the Houston area.

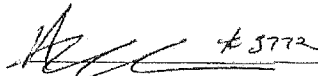
Austin Police Case Number 2015-3101943

Affiant then spoke with Detective Derek Israel, a peace officer with the Houston Police Department (HPD) Homicide Division. Detective Israel told Affiant that he had spoken with Investigator Mike Dykens, who is also a peace officer with HPD, about the Defendant. Detective Israel told Affiant that Investigator Dykens told him that the Defendant was, in fact, a suspect in a Houston murder and confirmed that the Defendant was last known to drive a grey four door sedan.

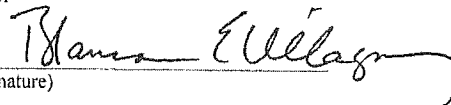
Affiant contacted members of the US Marshals Lone Star Fugitive Task Force in hopes of locating the Defendant. Deputy US Marshal Aaron Greenwood contacted Deputy US Marshal Cameron Welch with the Gulf Coast Task Force and gave him information on the Defendant. Deputy US Marshals Cameron Welch later contacted Detective Derek Israel and told him that he found the Defendant. Deputy US Marshals Cameron Welch told Detective Derek Israel that the Defendant was the passenger of a vehicle more particularly described as a silver 2012 Dodge Charger with Texas License Plate number [REDACTED] and a Vehicle Identification Number of [REDACTED] that was observed driving up to [REDACTED] Wellington Park, Houston, Harris County, Texas. Detective Israel told Affiant that the Charger was towed to the City of Houston secure parking lot located at 1300 Dart Street in Houston, Harris County, Texas for safekeeping.

Austin Police Case Number 2015-3101943

WHEREFORE, PREMISES CONSIDERED, your affiant respectfully requests that a warrant issue authorizing your affiant or any other peace officer of Harris County, Texas to enter and search the vehicle of **Chimene Onyeri**, located at 1300 Dart Street, Houston, Harris County, Texas, which is including all closed containers, safes, glove boxes, trunks, and compartments; with authority to search for and to seize the property and items set out earlier in this affidavit and further search those items for evidence listed of criminal activity listed above.


AFFIANT

Sworn to and Subscribed before me on this the 10th day of
November, 2015


(Signature)

(Printed name)
MAGISTRATE/ DISTRICT JUDGE
Harris County, Texas

BLANCA VILLAGOMEZ
Harris County Criminal Law
Hearing Officer
Harris County, Texas

FILED
Chris Daniel
District Clerk
NOV 17 2015
Time: _____ Harris County, Texas
By _____ Deputy

Austin Police Case Number 2015-3101943

THE STATE OF TEXAS

§

§

SEARCH WARRANT

COUNTY OF HARRIS

§

OFFICER'S RETURN AND INVENTORY

SEARCH WARRANT

BEFORE ME, THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED THE AFFIANT HEREIN, A PEACE OFFICER UNDER THE LAWS OF TEXAS, WHO, BEING DULY SWORN, ON OATH MADE THE FOLLOWING STATEMENTS:

My name is Detective Anthony Nelson and I am commissioned as a peace officer by the Austin Police Department.

The attached Search Warrant came to hand on the day it was issued and it was executed on the 11th day of November, 2015, by conducting the search directed therein and by seizing during such search the following described property:

1. 1 Black Nike Hoodie
2. 1 pair size 13 white with red trim Nike Air Jordans
3. 1 Texas Liability Insurance Card belonging to Reginald Matthews
4. 1 City of Houston traffic citation for speeding issued to Reginald Matthews
5. 1 Broken White Samsung Galaxy Note 5 Cell Phone with Black Charging cord
6. 1 White I Phone 6
7. 1 White I Phone
8. Broken Cell Phone parts and black charging cord.
9. 1 Blue T-Mobile Flip Phone.

Austin Police Case Number 2015-3101943

AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME BY SAID PEACE OFFICER WHOSE NAME IS SIGNED ABOVE
ON THER THE DAY OF , 2015.

Notary of the Public, in and for the State of Texas